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Docket No. CV 0244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
MICHAEL J. WARING, ET AL.
APPLICATION NO: **09/341,821**
FILED: **SEPTEMBER 1, 1999**
FOR: **MULTI-DOSE WOUND GEL**

Art Unit: **1611**
Examiner: **I. GHALI**

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John M. Kilcoyne
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John M. Kilcoyne

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33,100

Registration Number, if applicable

708-904-2372

Telephone Number

REVISED SECTION (5) OF APPELLANTS' APPEAL BRIEF

Sir:

In the Notification of Non-Compliant Appeal Brief mailed in this application on September 15, 2009, Appellants' Brief was said to be defective for failing to contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal. The Notification further requires that each independent claim

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"must separately refer to the specification by page and line number..." Therefore, Appellants submit below a revised section (5) of their Brief.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention relates to and claims in claim 5, a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10, page 2, lines 12-13 and page 5, lines 28-33), in claims 8 and 9, a method of making a self-sealing barrier aerosol vessel comprising multiple doses of a wound gel (see, e.g., page 3, line 34 - page 4, line 11), in claim 10, a multiple dose, sterile wound gel contained within a self-sealing barrier aerosol vessel (see, e.g., page 1, lines 7-10 and page 2, lines 9-11), in claim 14, a method of treating sinus wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10, page 2, lines 14-32 and, in particular, lines 23-27), in claim 15, a method of treating wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel (see, e.g., page 1, lines 7-10 and page 2, lines 14-32), in claim 19, a method of treating wounds with a wound gel from a self-sealing barrier aerosol vessel containing multiple doses of a wound gel wherein the gel-containing vessel is prepared by certain steps (see, e.g., page 1, lines 7-10, page 2, lines 14-32 and page 3, line 34 - page 4, line 11), and in claim 20, a method for dispensing multiple doses of a wound gel from a single dispenser (see, e.g., page 3, line 34 - page 4, line 11, and figure 2).

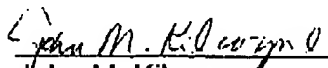
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In view of the Brief filed on 19 August 2009 and this revised section (5), reconsideration of this application and reversal of the rejection are respectfully requested.

Respectfully submitted,

ConvaTec Inc.
Patent Department
100 Headquarters Park Drive
Skillman, NJ 08558

Date: October 15, 2009



John M. Kilcoyne
Attorney for Appellants
Reg. No. 33,100
Phone: 908-904-2372